

CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 24, 2003.

Grace Alicea



10/24/03  
#18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: June 24, 2003

NACK

Serial No.: 09/261,030

Group Art Unit: 2167

Filed: March 2, 1999

Examiner: Cuff, Michael A.

For: **METHOD AND SYSTEM FOR MANAGING A CONSUMER TRANSACTION SYSTEM WITH A MOBILE MANAGEMENT DEVICE**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL OF DECISION OF THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES UNDER 37 CFR 1.191**

Sir:

In the Final Office Action dated March 24, 2003, and the Advisory Action issued June 10, 2003, the Examiner has rejected claims 2, 5, 6, 8-11, 15, 16, 18-20, 23 and 24. In response, Applicant hereby appeals to the Board the decision of the Primary Examiner. An Appellant's Brief will be filed in triplicate within two months of the date of this Notice.

The Commissioner is hereby authorized to charge the amount of **\$320.00** to Deposit Account No. 50-0563 (IBM Corporation) for payment of Notice of Appeal filing fee pursuant to 37 CFR 1.17(b).

Respectfully submitted,



Joseph A. Sawyer, Jr.  
Sawyer Law Group LLP  
Attorney for Applicant(s)  
Reg. No. 30,801  
(650) 493-4540

10/24/2003 SCALLIHA 00000002 500563 09261030

01 FC:1401 320.00 DA

JUL 02 2003

Docket No: RA9-98-072/1230RCE

Date: June 24, 2003

Serial No: 09/261,030

Filed: 3/2/1999

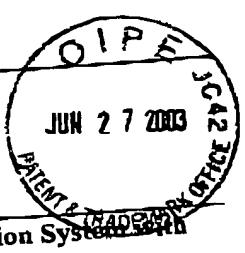
Inventor(s): NACK

Title: Method and System for Managing a Consumer Transaction System  
Mobile Management Device

- Transmittal
- Notice of Appeal
- Response to
- Executed Declaration
- Assignment + Recordation Sheet
- Information Disclosure Statement
- Form 1449 with \_\_\_\_\_ References

- Petition for Extension of Time
- Part B-Issue Fee Transmittal
- Letter to Draftsman
- \_\_\_\_\_ Sheets of Formal Drawings
- Fee Payment: \$ 320.00
- Deposit Account (IBM Corp.)
- Check No:

The Stamp of the USPTO Hereon Certifies Receipt of the Above



## TRANSMITTAL FORM

Attorney Docket No.

RA9-98-072/1230RCE

In re the application NACK

Date: June 24, 2003

Serial No: 09/261,030

Group Art Unit: 2167

Filed: March 2, 1999

Examiner: Cuff, Michael A.

For: Method and System for Managing a Consumer Transaction System with a Mobile Management Device

## ENCLOSURES (check all that apply)

<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
	<input type="checkbox"/> After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input checked="" type="checkbox"/>	Notice of Appeal
	<input type="checkbox"/> Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
	<input type="checkbox"/> (X) Copies of References	<input type="checkbox"/>	Petition	<input checked="" type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts		*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxxx month(s), from to .		
	<input type="checkbox"/> Executed Declaration by Inventor(s)				

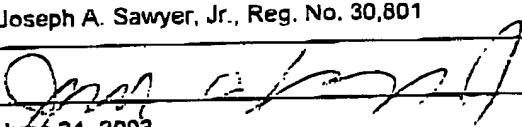
## CLAIMS

FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	0	0	0	\$18.00	\$ 0.00
Independent Claims	0	0	0	\$84.00	\$ 0.00
				Total Fees	\$ 0.00

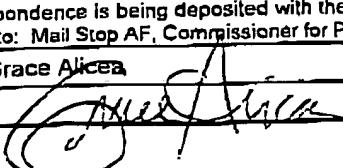
## METHOD OF PAYMENT

<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input checked="" type="checkbox"/>	Charge \$ 320.00 to Deposit Account No. 50-0563 (IBM Corporation) for payment of fees.
<input checked="" type="checkbox"/>	Charge any additional fees or credit any overpayment to Deposit Account No. 50-0563 (IBM Corporation)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	June 24, 2003

## CERTIFICATE OF MAILING

Type or printed name	Grace Alicea
Signature	

## MEMORY TRANSMISSION REPORT

PAGE : 001  
 TIME : SEP-23-03 11:35  
 TEL NUMBER1: 650-493-4548  
 NAME : SAWYER LAW GROUP LLP

FILE NUMBER : 673  
 DATE : SEP-23 11:33  
 TO : 217033083687  
 DOCUMENT PAGES : 005  
 START TIME : SEP-23 11:33  
 END TIME : SEP-23 11:35  
 SENT PAGES : 005  
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FILE NUMBER : 673                    \*\*\* SUCCESSFUL TX NOTICE \*\*\*

**SAWYER LAW GROUP, LLP**  
 2465 East Bayshore Road, Suite 406  
 Palo Alto, California 94303  
 Telephone: (650) 493-4540  
 Facsimile: (650) 493-4549

FACSIMILE TRANSMITTAL

Date: September 23, 2003  
 Attention: Sonya  
 For: Examiner Bob Olszenski  
 Organization: USPTO  
 Fax Number: (703) 308-3687  
 Phone Number: (703) 308-9032  
 From: Yolanda Kepner / Executive (Legal) Assistant  
 Re: U.S. Patent Application  
 Serial No. 09/261,030

Number of pages 1 of 5 (including this fax sheet)

Pursuant to my telephone conversation with Examiner Bob Olszenski. The following copies of documents are being transmitted herewith:

- Transactional Form, Notice of Appeal of Decision of the Primary Examiner to the Board of Patent Appeals and Interferences Under 37 CFR 1.191.
- Both the postcard and return receipt postcard that was mailed to the USPTO on June 24, 2003, and stamped as received, on June 27, 2003.

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**SAWYER LAW GROUP, LLP**  
**2465 East Bayshore Road, Suite 406**  
**Palo Alto, California 94303**  
**Telephone: (650) 493-4540**  
**Facsimile: (650) 493-4549**

**FACSIMILE TRANSMITTAL**

**Date:** September 23, 2003  
**Attention:** Sonya *Hilliard* (Olszewski)  
**For:** Examiner Bob Olszewski  
**Organization:** USPTO  
**Fax Number:** (703) 308-3687  
**Phone Number:** (703) 308-9032  
**From:** Yolanda Kepner / Executive (Legal) Assistant  
**Re:** U.S. Patent Application  
Serial No. 09/261,030

Number of pages 1 of 5 (including this fax sheet)

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